

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

CREIGHTON TAKATA, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

RIOT BLOCKCHAIN, INC. F/K/A, BIOPTIX,
INC., JOHN O'ROURKE, JEFFREY G.
MCGONEGAL, BARRY HONIG,
CATHERINE DEFRANCESCO, MICHAEL
BEEGHLEY, JOHN STETSON, MARK
GROSSMAN, ANDREW KAPLAN, MIKE
DAI, JASON LES and ERIC SO,

Defendants.

Case No. 18-cv-2293 (FLW) (ZNQ)

Oral Argument Requested

**DECLARATION OF KEVIN G. WALSH
IN SUPPORT OF DEFENDANT MARK
GROSSMAN'S MOTION TO DISMISS
PLAINTIFF'S CORRECTED
CONSOLIDATED AMENDED CLASS
ACTION COMPLAINT**

KEVIN G. WALSH
kwalsh@gibbonslaw.com
KATE E. JANUKOWICZ
kjanukowicz@gibbonslaw.com
GIBBONS P.C.
One Gateway Center
Newark, New Jersey 07102
Tel: 973.596.4769
Fax: 973.639.6470

PERRIE M. WEINER (*pro hac vice* to be filed)
perrie.weiner@backermckenzie.com
EDWARD D. TOTINO (*pro hac vice* to be filed)
edward.totino@backermckenzie.com
BAKER & MCKENZIE LLP
1901 Avenue of the Stars, Suite 950
Los Angeles, California 90067
Tel: 310.201.4728
Fax: 310.201.4721

Attorneys for Defendant
MARK GROSSMAN

I, KEVIN G. WALSH, hereby declare:

1. I am an attorney at law duly admitted to practice before the courts of the State of New Jersey. I am a Director with the law firm of Gibbons P.C., counsel of record for Defendant Mark Groussman ("Groussman") in the above captioned matter. I submit this declaration in support of Groussman's Motion to Dismiss Plaintiff's Corrected Consolidated Amended Complaint. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would competently testify thereto.

2. Attached hereto as **Exhibit A** is a true and correct copy of Riot Blockchain, Inc.'s ("Riot") January 5, 2018 Form S-3, which Riot filed with the Securities and Exchange Commission and made available on its website at <https://ir.riotblockchain.com/sec-filings>.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed Newark, New Jersey on this 30th day of September 2019.

s/ Kevin G. Walsh
Kevin G. Walsh